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Attorney for Plaintiffs

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

ERIC B. HARRIS, MAY HARRIS,
HALEY HARRIS, a minor by her
Guardian ad Litem, MAY HARRIS,
CAMERON HARRIS, a minor by his
Guardian ad Litem, MAY HARRIS,

Plaintiffs,

v.

CITY OF CHULA VISTA, OFFICER
JEFF CRAFT, CHIEF OF POLICE
RICHARD P. EMERSON, DOES 1-10,
inclusive.

Defendants.

Civil No.:09CV2239 JAH (POR)

**PLAINTIFFS' *EX PARTE*
APPLICATION FOR ORDER
SEALING AFFIDAVIT;
DECLARATION OF MARY
FRANCES PREVOST**

[TO BE FILED UNDER SEAL]

Counsel for Plaintiffs hereby applies *ex parte* for an order that counsel's Affidavit in support of Motion to continue Motion for Summary Judgement and for leave to conduct additional discovery, be filed under seal.

This *ex parte* application is based on the attached declaration of defense counsel, MARY FRANCES PRÉVOST.

Dated: October 5, 2011

Respectfully submitted,

/s/ Mary Frances Prévost
MARY FRANCES PRÉVOST
Attorney for Plaintiffs

DECLARATION OF MARY FRANCES PRÉVOST

I, MARY FRANCES PRÉVOST, declare as follows:

1. I am the attorney of record for Plaintiffs in the above-entitled matter.
2. Counsel requests leave to file under seal her Affidavit in support of Motion to continue Motion for Summary Judgment and for leave to conduct additional discovery because the information contained therein is subject to a protective order issued by the Hon. William McCurine in Morales v. City, et al., Case No. 07CV0186 JM (WMc).
3. Accordingly, counsel requests that her Affidavit and this application be filed under seal.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Dated: October 5, 2011

/s/ Mary Frances Prevost
MARY FRANCES PRÉVOST